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7 Attorneys for Defendant
8 Sharon Wang

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 SHARON WANG, HEATHER YIN,

16 Defendants.

No. CR 11-686 JW

CONTINUE

STIPULATION TO ~~VACATE~~ STATUS
CONFERENCE AND TO EXCLUDE
TIME; ORDER ~~[PROPOSED]~~

Date: Monday, April 23, 2012
Time: 1:30 p.m.

Before The Honorable James Ware

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18
19 The United States, Sharon Wang, and Heather Yin, through counsel, stipulate to vacate the
20 Status Conference currently scheduled for Monday, April 23, 2012 at 1:30 p.m. The parties
21 request that the Court set a new status conference date after receiving the Report and
22 Recommendation from Magistrate Judge Vadas. This request is being made to facilitate the
23 resolution of questions regarding the filing of a defense motion to dismiss. Magistrate Judge
24 Vadas will be conducting a third and likely final hearing on May 17, 2012, at 2:00 p.m.

25
26 On January 31, 2012, the Court referred this case to Magistrate Judge Vadas for a Report
27 and Recommendation regarding the procedures for the filing of a defense motion to dismiss.
28

1 Magistrate Judge Vadas held hearings regarding this Report and Recommendation on February 8
2 and April 11, 2012. A third hearing date has been set for May 17, 2012. Between the two
3 hearings held by Magistrate Judge Vadas, the U.S. Attorney's Office assigned Gary Fry to
4 represent the government's interests with regard to the defense motion to dismiss. Additionally,
5 two state court hearings were held regarding the partial unsealing of certain state court documents
6 relevant to the defense motion to dismiss. Those documents have now been unsealed for limited
7 use by the parties in this case. They were distributed to the parties on April 9 and April 11, and
8 they were lodged with Magistrate Judge Vadas on April 16, 2012. Counsel for Ms. Wang has
9 requested that Magistrate Judge Vadas review the documents and meet with the parties once again
10 before submitting his Report and Recommendation to the Court. The U.S. Attorney assigned to
11 this case, David Callaway, has informed Mr. Fry that he does not have any issues to discuss with
12 the Court before the Court receives Magistrate Judge Vadas's Report and Recommendation.
13 Additionally, Assistant U.S. Attorney Gary Fry will be traveling internationally until May 5.
14 Thomas Nolan, counsel for Ms. Wang, will be traveling internationally from April 17 until May
15 15, 2012.

16 The parties also stipulate that the time between April 23, 2012 and May 17, 2012 be
17 excluded under the Speedy Trial Act, in the interests of justice and for continuity of counsel. *See*
18 18 U.S.C. § 3161.

19 Respectfully submitted,

20 NOLAN, ARMSTRONG & BARTON, LLP

21 /s/

22 Dated: April 18, 2012

23 _____
24 Thomas J. Nolan
25 Shira Kieval
26 Attorneys for Defendant
27 Sharon Wang
28

1
2 Dated: April 18, 2012

/s/

Doron Weinberg
Attorney for Defendant
Heather Yin

3
4
5 Dated: April 18, 2012

/s/

Gary Fry
Assistant United States Attorney

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7
8 **ATTESTATION PER GENERAL ORDER 45**

9 I, Thomas J. Nolan, am the ECF User whose ID and password being used to file this
10 Stipulation. In compliance with General Order 45, X.B., I hereby attest that Gary Fry and Doron
11 Weinberg have concurred with this filing.
12

13
14 **~~PROPOSED~~ ORDER**

15 Based upon the stipulation of the parties, and good cause appearing therefor,

16 IT IS HEREBY ORDERED that the status conference currently scheduled to occur on
17 is continued to Monday, June 18, 2012 at 1:30 p.m.
18 Monday, April 23, 2012 at 1:30 p.m. ~~be VACATED. A new hearing date will be scheduled after~~
19 ~~the Court receives the Report and Recommendation regarding the procedures for a defense motion~~
20 ~~to dismiss.~~ Further, the time between April 23, 2012 and May 17, 2012 is excluded under the
21 Speedy Trial Act for in the interests of justice and for continuity of counsel. See 18 U.S.C. §
22 3161.

23
24 Dated: April 19, 2011



HON. JAMES WARE
United States District Court Judge